IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2838 OF 2006

Kingston Properties Pvt.Ltd. ..Petitioners.

V/s.

Kusum Shobnath Yadav & Ors. ..Respondents.

Mr.Biren Saraf i/b. Ms.Krishna Tanna for Petitioners.

Mr.Akhilesh Upadhyay for Respondent No.1.

Mr.Pradip Jadhav,AGP for State respondent Nos.2 and 4.

Mr.G.D.Utangale i/b. Utangale & Co. for Respondent No.3.

Mr.Yogesh Adhia for Respondent No.5.

Ms.Archana Joshi for Respondent No.6 BMC.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 21, 2007.

P.C. :

1. The issue raised in this Petition is questioning the eligibility of Respondent No.1 for allocation of appropriate premises in the developed property. That question can be adjudicated before the Committee constituted by the State Government under Government Resolution dated 15th November, 2007. The Petitioners will be free to make representation before the said Committee placing on record all relevant materials in respect of their claim. The Committee shall provide opportunity to

the Respondent No.1 to produce material in support of her claim that she is eligible for allocation of suitable premises in the developed property in lieu of premises, which were allegedly occupied by her in the slum area. All these questions and related aspects will be considered before the Committee in accordance with the law and final decision be taken as expeditiously as possible preferably before end of January, 2008.

2. Needless to observe that until the final decision is rendered by the Committee the parties will not give effect to the Order dated 11th March, 2005 passed by the Respondent No.3 and that Order will be subject to the outcome of the proceedings before the Committee.

. Petition disposed offf on the above terms.

(A.M.KHANWILKAR,J)